



MINUTES
of the
THREE-HUNDRED-FIFTY-NINTH MEETING
of the
LEGISLATIVE COUNCIL
April 27, 2015
Santa Fe

The three-hundred-fifty-ninth meeting of the Legislative Council was called to order on Monday, April 27, 2015, at 10:20 a.m. in Room 307 of the State Capitol by Senator Mary Kay Papen, co-chair.

Present

Sen. Mary Kay Papen, Co-Chair
Rep. Don L. Tripp, Co-Chair
Rep. Alonzo Baldonado
Sen. Carlos R. Cisneros
Rep. Brian Egolf
Rep. Kelly K. Fajardo
Rep. Doreen Y. Gallegos
Sen. Stuart Ingle
Rep. W. Ken Martinez
Sen. William H. Payne
Sen. Clemente Sanchez
Sen. Michael S. Sanchez
Sen. William E. Sharer
Sen. John Arthur Smith

Absent

Rep. Nate Gentry
Rep. Sheryl Williams Stapleton

Special Advisory Members Present

Sen. Pete Campos
Sen. Lee S. Cotter
Rep. Roberto "Bobby" J. Gonzales
Sen. Ron Griggs
Rep. Rick Little
Sen. Cisco McSorley
Sen. Mark Moores
Sen. George K. Munoz
Sen. Michael Padilla
Sen. Cliff R. Pirtle
Rep. Jane E. Powdrell-Culbert
Rep. Dennis J. Roch
Rep. Patricia Roybal Caballero
Sen. Benny Shendo, Jr.

Special Advisory Members Absent

Rep. Eliseo Lee Alcon
Rep. Gail Chasey
Rep. Jason C. Harper
Sen. Daniel A. Ivey-Soto
Rep. James Roger Madalena
Rep. Andy Nunez
Rep. Debbie A. Rodella
Rep. Carl Trujillo
Rep. Jim R. Trujillo

Guest Legislators

Sen. Ted Barela

Rep. Larry A. Larrañaga

Rep. Luciano "Lucky" Varela

Staff

Raúl E. Burciaga, Director, Legislative Council Service (LCS)

John Yaeger, Assistant Director for Legislative Affairs, LCS

Amy Chavez-Romero, Assistant Director for Drafting, LCS

Anesa Serna-Espinoza, Financial Assistant, LCS

Jeret Fleetwood, Researcher, LCS

Approval of Minutes

On a motion made, seconded and passed, the minutes of the three-hundred-fifty-eighth meeting of the council, from January 19, 2015, were approved as submitted.

Appointment of Interim Committees

The council appointed members to the following statutory and council-created committees.

Legislative Council: Representative Tripp and Senator Papen will serve as co-chairs. Other voting members are Representatives Alonzo Baldonado, Brian Egolf, Kelly K. Fajardo, Doreen Y. Gallegos, Nate Gentry, W. Ken Martinez and Sheryl Williams Stapleton and Senators Carlos R. Cisneros, Stuart Ingle, William H. Payne, Clemente Sanchez, Michael S. Sanchez, William E. Sharer and John Arthur Smith. Special advisory members are Representatives Eliseo Lee Alcon, Gail Chasey, Roberto "Bobby" J. Gonzales, Jason C. Harper, Rick Little, James Roger Madalena, Andy Nunez, Jane E. Powdrell-Culbert, Dennis J. Roch, Debbie A. Rodella, Patricia Roybal Caballero, Carl Trujillo and Jim R. Trujillo and Senators Pete Campos, Lee S. Cotter, Ron Griggs, Daniel A. Ivey-Soto, Cisco McSorley, Mark Moores, George K. Munoz, Michael Padilla, Cliff R. Pirtle and Benny Shendo, Jr.

Legislative Education Study Committee: Representative Roch will serve as chair and Senator John M. Sapien will serve as vice chair. Other voting members are Representatives Nora Espinoza, Tomás E. Salazar, Stapleton, Christine Trujillo and Monica Youngblood and Senators Craig W. Brandt, Gay G. Kernan and Howie C. Morales. Advisory members are Representatives Baldonado, Jim Dines, David M. Gallegos, Stephanie Garcia Richard, Jimmie C. Hall, D. Wonda Johnson, Tim D. Lewis, G. Andres Romero, Roybal Caballero, James E. Smith and James G. Townsend and Senators Jacob R. Candelaria, Cisneros, Cotter, Ivey-Soto, Linda M. Lopez, Padilla, John Pinto, William P. Soules, Mimi Stewart and Pat Woods.

Legislative Finance Committee: Senator Smith will serve as chair and Representative Hall will serve as vice chair. Other voting members are Representatives Paul C. Bandy, George Dodge, Jr., Harper, Larry A. Larrañaga, Patricia A. Lundstrom, Nick L. Salazar and Luciano

"Lucky" Varela and Senators Sue Wilson Beffort, Campos, Cisneros, Carroll H. Leavell, Morales, Munoz and Steven P. Neville. Designees are Representatives Sharon Clahchischilliage, Doreen Y. Gallegos, Garcia Richard, Conrad James, Little, Antonio Maestas, Sarah Maestas Barnes, Roybal Caballero, Tomás E. Salazar, Larry R. Scott, Smith, Jeff Steinborn, Townsend, Christine Trujillo, Jim R. Trujillo and Youngblood and Senators William F. Burt, Candelaria, Cotter, Griggs, Ingle, Kernan, Lopez, McSorley, Moores, Padilla, Papen, Payne, Sander Rue, Clemente Sanchez, Sapien, Sharer, Shendo and Peter Wirth.

Capitol Buildings Planning Commission: Voting members are Representatives Egolf and Tripp and Senators Ingle and Papen. Public members are Secretary Edwynn L. Burckle, Secretary Tom Church, Secretary Tom Clifford, Aubrey Dunn, commissioner of public lands, Tim Eichenberg, state treasurer, Secretary Veronica N. Gonzales and Chief Justice Barbara J. Vigil.

Interim Legislative Ethics Committee: Representative Gentry and Senator Lopez will serve as co-chairs. Other voting members are Representatives Cathrynn N. Brown, Chasey, Zachary J. Cook, Dodge, Egolf, Georgene Louis and Maestas and Senators Campos, Ingle, Neville, Papen, Payne, Michael S. Sanchez and Sharer.

Legislative Health and Human Services Committee: Senator Gerald Ortiz y Pino will serve as chair and Representative Espinoza will serve as vice chair. Other voting members are Representatives Deborah A. Armstrong, Miguel P. Garcia and Lewis and Senators Kernan, Moores and Shendo. Advisory members are Representatives Chasey, Doreen Y. Gallegos, Madalena, Terry H. McMillan, Patricio Ruiloba, Tripp and Christine Trujillo and Senators Beffort, Brandt, Candelaria, Ivey-Soto, Lopez, McSorley, Morales, Bill B. O'Neill, Papen, Nancy Rodriguez, Rue, Soules and Stewart.

Disabilities Concerns Subcommittee: Senator Rodriguez will serve as chair and Representative Lewis will serve as vice chair. Other voting members are Representative Garcia and Senators Brandt and Lopez. Advisory members are Representatives Armstrong and Espinoza and Senators Ted Barela and Ortiz y Pino.

Military and Veterans' Affairs Committee: Senator Richard C. Martinez and Representative Bob Wooley will serve as co-chairs. Other voting members are Representatives Alcon, Dodge and Dianne Miller Hamilton and Senators Brandt, Burt and Ivey-Soto. Advisory members are Representatives David E. Adkins, Brown, Randal S. Crowder, Dines, Little, Jim R. Trujillo and John L. Zimmerman and Senators Cisneros, Padilla, Payne, Pinto and Sharer.

Mortgage Finance Authority Act Oversight Committee: Representative Baldonado will serve as chair and Senator Rodriguez will serve as vice chair. Other voting members are Representatives Fajardo, Gonzales and Madalena and Senators Cotter, Ingle and McSorley. Advisory members are Representatives Dodge, Bealquin Bill Gomez and Hall and Senators Martinez, O'Neill, Ortiz y Pino, Padilla and Rue.

New Mexico Finance Authority Oversight Committee: Representative Powdrell-Culbert will serve as chair and Senator Joseph Cervantes will serve as vice chair. Other voting members are Representatives Adkins, Clahchischillie, Candy Spence Ezzell, Gomez, Gonzales, Dona G. Irwin, Stephanie Maez, Nunez, Roybal Caballero, Ruiloba and Youngblood and Senators Cotter, Griggs, Martinez, Padilla, Rodriguez, John C. Ryan and Soules. Advisory members are Representatives Baldonado, Dodge, Egolf, Fajardo, Lundstrom, Maestas Barnes, Rodella, Tomás E. Salazar, Stapleton and Tripp and Senators Beffort, Candelaria, Ingle, Munoz, O'Neill, Papen, Payne, Pinto and Clemente Sanchez.

Public School Capital Outlay Oversight Task Force: Senator Sapien will serve as chair. Other voting members are Representatives Clahchischillie, Larrañaga, Madalena, W. Ken Martinez, Roch and Tripp and Senators Papen, Pirtle, Rue, Shendo and Smith. Public members are Deputy Secretary Paul Aguilar, Secretary Tom Clifford, Carl Foster, Lisa Grover, Kirk Hartom, Tracy Hofmann, T.J. Parks, Mike Phipps, Judy Rabon and Allan Tapia. Advisory members are Representatives Alcon, Johnson, Roybal Caballero, Ruiloba and Smith and Senators Morales, Ryan, Sharer, Soules, Stewart and Woods.

Radioactive and Hazardous Materials Committee: Representative Brown will serve as chair and Senator Ivey-Soto will serve as vice chair. Other voting members are Representatives Alcon, Garcia Richard, Romero, Scott and Townsend and Senators Barela, Cisneros, Kernan, Leavell and Martinez. Advisory members are Representatives David M. Gallegos, Rod Montoya, Nick L. Salazar and Jim R. Trujillo and Senators Burt, Griggs, Ingle, Padilla, Payne, Pinto, Rodriguez and Clemente Sanchez.

Revenue Stabilization and Tax Policy Committee: Senator Cisneros will serve as chair and Representative Harper will serve as vice chair. Other voting members are Representatives David M. Gallegos, Lewis, Maestas, Montoya, Rodella, James R.J. Strickler, Carl Trujillo and Jim R. Trujillo and Senators Barela, Beffort, Moores, Munoz, Clemente Sanchez, Sharer, Smith and Wirth. Designees are Representatives Adkins, Clahchischillie, Crowder, Egolf, Garcia, Garcia Richard, Gomez, James, Maez, Javier Martinez, Bill McCamley, Tomás E. Salazar, Steinborn and Townsend and Senators Burt, Candelaria, Cotter, Ingle, Kernan, Rodriguez, Sapien and Woods.

Tobacco Settlement Revenue Oversight Committee: Senator McSorley and Representative Zimmerman will serve as co-chairs. Other voting members are Representatives Chasey and Youngblood and Senators Ryan and Smith. Advisory members are Representatives Ruiloba, Tripp and Jim R. Trujillo and Senators Lopez and Papen.

Commission on Uniform State Laws: Members are Representatives Cook and Maestas and Senators McSorley and Payne. Public members are Jack Burton, Philip Larragoite, Raymond G. Sanchez and Paula Tackett.

Educational Commission of the States: Members are Representative Roch and Senator Sapien.

Courts, Corrections and Justice Committee: Representative Cook and Senator Martinez will serve as co-chairs. Other voting members are Representatives Alcon, Chasey, Dines, Little, Louis, Maestas, Nunez and William "Bill" R. Rehm and Senators Cervantes, Lopez, McSorley, Rue and Lisa A. Torraco. Advisory members are Representatives Egolf, Doreen Y. Gallegos, W. Ken Martinez, Paul A. Pacheco, Roybal Caballero, Ruiloba and Christine Trujillo and Senators Brandt, Candelaria, Ivey-Soto, O'Neill, Payne, Pinto, Michael S. Sanchez, Stewart and Wirth.

Economic and Rural Development Committee: Senator Shendo will serve as chair and Representative Hamilton will serve as vice chair. Other voting members are Representatives Johnson, Little, Rodella, Roybal Caballero, Wooley and Zimmerman and Senators Candelaria, Griggs, Martinez, Padilla, Pinto and Woods. Advisory members are Representatives Alcon, Dodge, Espinoza, Gomez, Hall, Lundstrom, Roch and Nick L. Salazar and Senators Brandt, Cotter, Leavell, Moores, Papen and Sharer.

Indian Affairs Committee: Representative Clahchischilliage and Senator Pinto will serve as co-chairs. Other voting members are Representatives Cook, Yvette Herrell, Johnson, Louis, Madalena and Smith and Senators Barela, Martinez, Pirtle, Rodriguez, Ryan, Shendo and Soules. Advisory members are Representatives Alcon, Lundstrom, Rodella, Roybal Caballero and Nick L. Salazar and Senators Cisneros, Ingle, Ivey-Soto, McSorley, Munoz and Clemente Sanchez.

Investments and Pensions Oversight Committee: Senator Munoz will serve as chair and Representative Youngblood will serve as vice chair. Other voting members are Representatives Garcia, Larrañaga, Powdrell-Culbert, Rehm, Jim R. Trujillo and Varela and Senators Beffort, Candelaria, Leavell, Neville, O'Neill and Soules. Advisory members are Representatives Gonzales, Lundstrom, Tomás E. Salazar, Smith and Stapleton and Senators Barela, Cisneros, Ingle, Papen, Payne, Ryan and Michael S. Sanchez.

Jobs Council: Senator Papen and Representative Tripp will serve as co-chairs. Other voting members are Representatives Gonzales, Lewis, Maestas Barnes and W. Ken Martinez and Senators Ingle, Munoz, Padilla, Ryan, Michael S. Sanchez, Stewart and Woods. Advisory members are Representatives Adkins, Brown, Garcia Richard, Gomez, Herrell, James, Larrañaga, McCamley, Rodella, Roybal Caballero and Youngblood and Senators Burt, Cisneros, Morales, Neville and Soules. Representative Tripp and Senator Papen indicated that they would name public members to the council at a later date.

Land Grant Committee: Representative Maestas Barnes will serve as chair and Senator Candelaria will serve as vice chair. Other voting members are Representatives David M. Gallegos, Garcia, Hall, Rodella, Tomás E. Salazar and Wooley and Senators Barela, Cotter, Ivey-Soto, Martinez, Ortiz y Pino and Rue. Advisory members are Representatives Alcon, Bandy, Crowder, Johnson, Lundstrom, Matthew McQueen and Christine Trujillo and Senator Cisneros.

Science, Technology and Telecommunications Committee: Representative Smith will serve as chair and Senator Padilla will serve as vice chair. Other voting members are Representatives Garcia Richard, Harper, James, McCamley, Rodella, Carl Trujillo and Zimmerman and Senators Burt, Lopez, O'Neill and Ryan. Advisory members are Representatives Adkins, Fajardo, Maestas, Nick L. Salazar, Varela and Youngblood and Senators Candelaria, Cisneros, Griggs, Martinez, Neville, Papen, Payne, Rodriguez and Wirth.

Water and Natural Resources Committee: Senator Wirth will serve as chair and Representative Ezzell will serve as vice chair. Other voting members are Representatives Bandy, Crowder, Irwin, Madalena, Javier Martinez, McQueen, Nunez, Steinborn and Strickler and Senators Cervantes, Munoz, Pirtle, Rue, Shendo and Woods. Advisory members are Representatives Brown, Clahchischilliage, Dodge, Egolf, Espinoza, David M. Gallegos, Gomez, Hall, Johnson, Larrañaga, Lewis, Little, Maez, McCamley, Romero, Tomás E. Salazar, Townsend, Tripp, Wooley and Zimmerman and Senators Barela, Campos, Cisneros, Cotter, Griggs, Ingle, Kernan, Leavell, Lopez, McSorley, Neville, Ortiz y Pino, Papen, Rodriguez, Ryan, Sharer, Smith and Stewart.

The council announced that the Behavioral Health Subcommittee would not be re-created for the 2015 interim. Instead, the council indicated that the Legislative Health and Human Services Committee would add three meeting days to its work plan and dedicate them to behavioral health.

The council announced that the Criminal Justice Reform Subcommittee would not be re-created for the 2015 interim. Instead, it noted that days would be added to the Courts, Corrections and Justice Committee meeting schedule and work plan and dedicate at least one of them to the work of the Criminal Justice Reform Subcommittee.

The council discussed adding days to the work plan and meeting schedule of the Revenue Stabilization and Tax Policy Committee and not re-creating the Transportation Infrastructure Revenue Subcommittee. Several members indicated their preference for re-creating the subcommittee.

On a motion made, seconded and passed, the council re-created the Transportation Infrastructure Revenue Subcommittee. Senator Smith will serve as chair and Representative Little will serve as vice chair. Other voting members are Representatives Brown, Gonzales and Ruiloba and Senators Cotter, Griggs and Clemente Sanchez. Advisory members are Representatives Clahchischilliage, David M. Gallegos, Gomez, Johnson, Montoya, Pacheco and Powdrell-Culbert and Senators Candelaria, Cisneros, Payne and Sharer.

On a motion made, seconded and passed, the council adopted all of the interim committee appointments and authorized the speaker and president pro tempore to make necessary changes.

State Investment Council Appointment

On a motion made, seconded and passed, the council reappointed Peter B. Frank to the State Investment Council for a term commencing April 1, 2015 and expiring March 31, 2020.

Chief Hearing Officer Selection Committee

On a motion made, seconded and passed, the council agreed to make appointments to the Chief Hearing Officer Selection Committee at the June 29 meeting.

Western States Transportation Alliance

Mr. Burciaga explained that the Western States Transportation Alliance is holding a meeting in Santa Fe on July 19-21. The council discussed authorizing reimbursement of registration, per diem and mileage for members to attend the meeting and the number of members who would be authorized for reimbursement.

On a motion made, seconded and passed, the council authorized reimbursement of registration fees, per diem and mileage for the members of the Transportation Infrastructure Revenue Subcommittee plus an additional 10 members from each house.

Leadership Administrative Duties

Mr. Burciaga explained that, in 2014, the council approved payment of per diem and mileage to leadership for performance of administrative duties associated with leadership positions. He provided the council with a proposed change to Legislative Council policy reflecting the authorizations made in 2014.

On a motion made, seconded and passed, the council approved the following change to Legislative Council policy: subject to the availability of funds, a legislator serving in one of the following positions may be reimbursed per diem and mileage for up to the following number of days in one calendar year for performing administrative duties at the capitol: speaker of the house of representatives and president pro tempore of the senate, eight days each; majority and minority floor leaders, six days each; and majority and minority whips, four days each.

LCS, House and Senate Fiscal Year 2016 Budgets

Mr. Burciaga provided the council with copies of the budgets for the LCS, House Chief Clerk's Office and Senate Chief Clerk's Office as appropriated. He explained that while the amounts are identical to those contained in House Bill 1, approved budgets still have to be submitted to the Department of Finance and Administration.

On a motion made, seconded and unanimously approved, the budgets for the LCS and the house and senate chief clerks' offices were approved as submitted.

Requests for Use of Chambers

Mr. Burciaga explained that there were five requests for the use of chambers:

- National Conference of State Legislatures (NCSL) Policy and Elections Technology Conference on June 3-5;
- NCSL National Legislative Services and Security Association Conference on September 13-18;
- Energy Council on June 19;
- Model United Nations high school group on a date to be determined; and
- Model United Nations college group on November 1-6.

On a motion made, seconded and passed, the council authorized the use of chambers for all five events.

Staff Reports

Mr. Burciaga said that an interim expenses report is always included with Legislative Council committee materials. He explained that the report details the costs of each committee to date, as well as what is still available. He noted that the report included in the current meeting packet was for fiscal year 2015, which would zero out for fiscal year 2016.

Mr. Burciaga also noted that the State Bar of New Mexico and the University of New Mexico School of Law had offered a law school for legislators program in the past, which usually covers a variety of topics, such as the state constitution, water law, criminal law and Indian law, and had expressed some interest in offering another one.

In response to a question, Mr. Burciaga said that the program can be used for continuing legal education credit.

Mr. Burciaga also noted that the next Legislative Council meeting was scheduled for June 29.

Senator Barela, recently appointed to represent Senate District 39, was introduced to the council.

Adjournment

There being no further business, the council adjourned at 11:50 a.m.